

UNITED STATES DISTRICT COURT
DISTRICT COURT OF MASSACHUSETTS

C.A. No. 05-11658JLT

CHRISTOPHER MANGO,

Plaintiff (Pro se)

v.

PROVINCETOWN POLICE DEPARTMENT,
CHIEF SCHUYLER 'TED' MEYER III,
OFFICER DAVID DITACHIO,
PROVINCETOWN BOARD OF SELECTMEN,
MARY JO-AVELLAR, CHAIR
PROVINCETOWN TOWN MANAGER
KEITH A. BERGMAN, TOWN MANAGER
and ATTORNEY GENERAL TOM REILLY,

Defendants

INDIVIDUAL DEFENDANTS, CHIEF
SCHUYLER 'TED' MEYER III,
OFFICER DAVID DITACHIO, MARY
JO-AVELLAR, AND PROVINCETOWN
TOWN MANAGER, KEITH A.
BERGMAN'S MOTION TO DISMISS

Now come defendants Provincetown Police Chief Schuyler "Ted" Meyer, III, Provincetown Police Officer David Ditachio, Chair of the Provincetown Board of Selectmen Mayr-Jo Avellar and Provincetown Town Manager Keith Bergman (collectively, "individual defendants"), and hereby move this Honorable Court, pursuant to F.R.C.P. 12(b)(6), to dismiss the plaintiff's Complaint against them in its entirety. As grounds therefore, the individual defendants state that the plaintiff's Complaint fails to state a cause of action against any of them, and that they are therefore entitled to dismissal of the Complaint as a matter of law. As further support, the individual defendants rely upon the attached Memorandum of Law.

WHEREFORE, in view of the foregoing, the individual defendants respectfully request that the within motion be allowed, and that all claims against them set forth in the plaintiff's Complaint be dismissed.

DEFENDANTS

By their attorneys,

/s/ Jonathan M. Silverstein
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